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**Application No.:** 10/770,380  
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**PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116**

### **REMARKS**

Claim 1 is the sole pending claim.

The only outstanding rejection of claim 1 is based on obviousness-type double patenting over US 6,322,770.

Without commenting on the appropriateness of the rejection, Applicants submit herewith a terminal disclaimer, thereby overcoming the rejection.

Applicants note that they are concurrently filing a Notice of Appeal to keep the case from going abandoned. However, Applicants submit that the claim is now in condition for allowance. Accordingly, an Notice of Allowance is respectfully requested.

Date: December 14, 2006

/Brian J. Hubbard/  
Brian J. Hubbard  
Registration No. 45,873

Woodcock Washburn LLP  
Cira Centre  
2929 Arch Street, 12th Floor  
Philadelphia, PA 19104-2891  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439